MINOR

State of Louisiana

Department of Environmental Quality

DW

M.J. "MIKE" FOSTER, JR.
GOVERNOR

JAN 2 1 1999

J. DALE GIVENS
SECRETARY

Certified Mail# 568343W

File No.: LA0053031

U.S. Department of Energy Strategic Petroleum Reserve
West Hackberry Oil Storage Facility
1450 Black Lake Road
Hackberry, Louisiana 70645

Attention: Mr. Charles T. Dobson, Assistant Project Manager

Gentlemen:

Subject: Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge stormwater runoff, vehicle rinse water, treated sanitary wastewater, fire systems test water, air conditioner condensate, groundwater and stormwater from pipeline inspection pits, facility wash water, raw water systems test water which includes once through non-contact cooling water and diversion water from an existing bulk crude oil storage facility located at 1450 Black Lake Road, Hackberry, Louisiana, Cameron Parish.

This Office has received and evaluated comments submitted by the U.S. Department of Energy Strategic Petroleum Reserve in response to the public notice published in the Office of Water Resources Public Notice Mailing List on November 6, 1998, the CAMERON PARISH PILOT of DeQuincy on November 5, 1998, and the LAKE CHARLES AMERICAN PRESS on November 6, 1998. The Office's response to comments submitted by the U.S. Department of Energy Strategic Petroleum Reserve are summarized below. No comments have been received from the general public.

1. An effluent page (Part I, Page 34 of 34) has been added to include the discharge of fire systems test water, air conditioner condensate, groundwater and stormwater from pipeline inspection pits, facility wash water, raw water systems test water which includes once through non-contact cooling water and diversion water. No specific monitoring or reporting requirements are associated with these discharges.

2. In reference to Part II, Paragraph M, one Discharge Monitoring Report will be submitted quarterly for each outfall.

3. Outfall 027 (Part I, Page 27 of 34) has been modified to include stormwater runoff discharges from an electrical substation (secondary containment around two transformers on concrete pads) and raw water intake structure surge relief valve discharge water from the Intracoastal Waterway to the north retention pond.

Pursuant to the Clean Water Act (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act (La. R.S. 30:2001, et seq.), the attached LPDES permit has been issued. Provisions of this permit may be appealed in writing pursuant to La. R.S. 2024(A) within 30 days from receipt of the permit. Only those provisions specifically appealed will be suspended by a request for hearing unless the secretary or the assistant secretary elects to suspend other provision(s) as well. A request for hearing must be sent to the following:

Louisiana Department of Environmental Quality
Office of Legal Affairs and Enforcement
Attention: Barry Brooks
Post Office Box 82282
Baton Rouge, Louisiana 70884-2282

RECEIVED
JAN 2 7 1999
6W-EA-(4)

This permit shall replace the previously effective EPA (NPDES) permit. All future correspondence regarding this permit shall use the LPDES permit number, LA0053031.

In accordance with Part II, Paragraph M of the permit, monitoring results should be reported on a Discharge Monitoring Report (DMR) form per the schedule specified. A copy of the form to be used is attached for your convenience.

Should you have any questions concerning any part of the permit, please feel free to contact Christy Rogers of the Office of Water Resources at the address on the preceding page or telephone (225) 765-0543.

Sincerely,

Gary R. Aydell

Gary R. Aydell, Administrator
Water Pollution Control Division

GRA:CLR
Attachments

c: Letter only:

Christy Rogers
Doug Hale
Water Pollution Control Division

c: w/applicable enclosures:

Ms. Evelyn Rosborough (6WQ-CA)
Ms. Doris White (6EN-WC)
U. S. Environmental Protection
Agency, Region VI

Southwest Regional Office
PCU Coordinator
Water Quality Management Division

PERMIT NUMBER
LA0053031

OFFICE OF WATER RESOURCES
Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

U.S. Department of Energy Strategic Petroleum Reserve
West Hackberry Oil Storage Facility
1450 Black Lake Road
Hackberry, Louisiana 70645

Type Facility: Bulk Crude Oil Storage

Location: 1450 Black Lake Road, Hackberry, Louisiana
Cameron Parish

Receiving Waters: Outfalls 002-007, 009, 011-013, 015-023 and 025-029 - Unnamed ditch; thence into Black Lake.
Outfalls 008, 010, 014, 024, 030 and 031 - Unnamed ditch; thence into an unnamed swamp; thence into Black Lake.
Outfall 032 - Unnamed ditch; thence into La. Highway 1133 ditch; thence into ditch No. L-36C; thence into the Calcasieu River.
Outfall 033 - facility pipe; thence into the Intracoastal Waterway.
Fire Systems Test Water, Air Conditioner Condensate, Groundwater and Stormwater from Pipeline Inspections Pits, Facility Wash Water, and Once-Through Non-Contact Cooling Water - Facility ditches; thence into Black Lake and/or into an unnamed swamp; thence into Black Lake.
Diversion Water - Intracoastal Waterway

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on February 1, 1999

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on January 21, 1999

Linda Korn Levy, Assistant Secretary
Office of Water Resources

DEQ BUILDING * 7290 BLUEBONNET * P.O. BOX 82215 * BATON ROUGE, LA 70884-2215 * PHONE (504) 765-0634

PERMITTEE NAME/ADDRESS *(Include Facility Name/Location if different)*

NAME ______________________

ADDRESS ______________________

____

____

FACILITY ______________________

LOCATION ______________________

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM *(NPDES)*

DISCHARGE MONITORING REPORT *(DMR)*

(2-16)	*(17-19)*
PERMIT NUMBER	DISCHARGE NUMBER

	MONITORING PERIOD						
	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			
	(20-21)	*(22-23)*	*(24-25)*		*(26-27)*	*(28-29)*	*(30-31)*

NOTE: Read instructions before completing this form.

PARAMETER *(32-37)*		*(3 Card Only)* QUANTITY OR LOADING			*(4 Card Only)* QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE *(46-53)*	MAXIMUM *(54-61)*	UNITS	MINIMUM *(38-45)*	AVERAGE *(46-53)*	MAXIMUM *(54-61)*	UNITS	*(62-63)*	*(64-68)*	*(69-70)*
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED HEREIN; AND BASED ON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION I BELIEVE THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT SEE 18 U.S.C. § 1001 AND 33 U.S.C. § 1319 *(Penalties under these statutes may include fines up to $10,000 and or maximum imprisonment of between 6 months and 5 years.)*		TELEPHONE		DATE		
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENT AND EXPLANATION OF ANY VIOLATIONS *(Reference all attachments here)*

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 002 - treated sanitary waste discharged from the north side of the sewage treatment plant into an unnamed ditch near the center of the facility; thence to Black Lake (the anticipated flow is 1,500 GPD).

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 002	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		WEEKLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/6 months	Estimate
BOD_5	00310	45 mg/L	1/6 months	Grab
Total Suspended Solids	00530	45 mg/L	1/6 months	Grab
Fecal Coliform	74055	400 colonies per 100 mL	1/6 months	Grab
pH	00400	**	1/6 months	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 002 - at the point of discharge from the sewage treatment plant prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 003 - the intermittent discharge of stormwater runoff discharged from the northeast corner of well pad no. 101 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 003	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 003 - within the containment area surrounding well pad no. 101 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 004 - the intermittent discharge of stormwater runoff discharged from the southwest corner of well pad no. 102 into an unnamed ditch; thence into Black Lake

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 004	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 004 - within the containment area surrounding well pad no. 102 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 005 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 103 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 005	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 005 - within the containment area surrounding well pad no. 103 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 006 - the intermittent discharge of stormwater runoff discharged from the southwest corner of well pad no. 104 into an unnamed ditch; thence into Black Lake

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 006	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 006 - within the containment area surrounding well pad no. 104 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 007 - the intermittent discharge of stormwater runoff discharged from the southwest corner of well pad no. 105 into an unnamed ditch; thence into Black Lake

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 007	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 007 - within the containment area surrounding well pad no. 105 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 008 - the intermittent discharge of stormwater runoff discharged from the northwest corner of well pad no. 106 into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 008	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 008 - within the containment area surrounding well pad no. 106 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 009 - the intermittent discharge of stormwater runoff discharged from the southwest corner of well pad no. 107 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 009	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 009 - within the containment area surrounding well pad no. 107 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 010 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 108 into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 010	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 010 - within the containment area surrounding well pad no. 108 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 011 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 109 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 011	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 011 - within the containment area surrounding well pad no. 109 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 012 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 110 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 012	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 012 - within the containment area surrounding well pad no. 110 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 013 - the intermittent discharge of stormwater runoff discharged from the northwest corner of well pad no. 111 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 013	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 013 - within the containment area surrounding well pad no. 111 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 014 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 112 into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 014	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 014 - within the containment area surrounding well pad no. 112 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 015 - the intermittent discharge of stormwater runoff discharged from the northeast corner of well pad no. 113 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 015	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 015 - within the containment area surrounding well pad no. 113 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 016 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 114 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 016	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 016 - within the containment area surrounding well pad no. 114 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 017 - the intermittent discharge of stormwater runoff discharged from the northwest corner of well pad no. 115 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 017	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 017 - within the containment area surrounding well pad no. 115 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 018 - the intermittent discharge of stormwater runoff discharged from the southwest corner of well pad no. 116 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 018	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 018 - within the containment area surrounding well pad no. 116 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 019 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 117 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 019	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 019 - within the containment area surrounding well pad no. 117 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 020 - the intermittent discharge of stormwater runoff discharged from the northeast corner of well pad no. 6 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 020	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 020 - within the containment area surrounding well pad 6 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 021 - the intermittent discharge of stormwater runoff discharged from the northwest corner of well pad no. 7 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 021	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 021 - within the containment area surrounding well pad no. 7 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 022 - the intermittent discharge of stormwater runoff discharged from the northeast corner of well pad no. 8 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 022	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 022 - within the containment area surrounding well pad no. 8 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 023 - the intermittent discharge of stormwater runoff discharged from the northwest corner of well pad no. 9 into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 023	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 023 - within the containment area surrounding well pad no. 9 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 024 - the intermittent discharge of stormwater runoff discharged from the southeast corner of well pad no. 11 into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 024	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 024 - within the containment area surrounding well pad no. 11 when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 025 - the intermittent discharge of stormwater runoff discharged from the southwest corner of the containment area around the slop tank batteries into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 025	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 025 - within the containment area surrounding the slop oil tank when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 026 - the intermittent discharge of stormwater runoff discharged from the northeast corner of the slop oil tanks booster pump pad into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 026	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 026 - at the point of discharge from the northeast corner of the slop oil tanks booster pump pad prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 027 - the intermittent discharge of stormwater runoff discharged from the west side of the containment area around the high pressure pump pad; stormwater runoff discharged from an electrical substation (secondary containment around transformers on concrete pads); and raw water intake structure surge relief valve discharge water from the Intracoastal Waterway to the north retention pond discharged into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 027	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 027 - at the point of discharge from the west side of the containment area around the high pressure pump pad prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 028 - the intermittent discharge of stormwater runoff discharged from the southeast corner of the containment area around the fuel depot into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 028	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 028 - within the containment area surrounding the fuel storage area when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 029 - the intermittent discharge of stormwater runoff discharged from the southwest corner of the containmnet area around the emergency generator fuel storage tank into an unnamed ditch; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 029	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 029 - within the containment area surrounding the emergency generator storage area when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 030 - the intermittent discharge of stormwater runoff and vehicle rinse water discharged from the south side of the holding pond at the vehicle rinse station into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 030	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no addition of detergents or additives to the vehicle rinse water.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 030 - within the holding pond when discharging.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 031 - the intermittent discharge of stormwater runoff discharged from the southeast corner of the containment area around the brine storage tanks into an unnamed ditch; thence into an unnamed swamp; thence into Black Lake.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 031	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 031 - at the point of discharge from the southeast corner of the containment area around the brine storage tanks prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 032 - the intermittent discharge of stormwater runoff discharged from the southeast corner of the containment area around the Lake Charles Meter Station to an unnamed ditch; thence into Louisiana Highway 1133 ditch; thence into ditch L-36C; thence into the Calcasieu River.

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 032	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 032 - at the point of discharge from the southeast corner of the containment area around the Lake Charles Meter Station prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 033 - the intermittent discharge of stormwater runoff discharged from the northeast corner of the containment area around the raw water intake transformer pad/sump into the Intracoastal Waterway .

This discharge shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS OUTFALL 033	STORET CODE	DISCHARGE LIMITATIONS Units (Specify)	MONITORING REQUIREMENTS (*)	
		DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (GPD)	50050	Report	1/quarter	Estimate
TOC	00680	50 mg/L	1/quarter	Grab
Oil and Grease	03582	15 mg/L	1/quarter	Grab
Visible Sheen	84066	No Presence	1/day	Observation
pH	00400	**	1/quarter	Grab

* When discharging

** The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

The analytical method used must be capable of detecting the limiting concentration.

There shall be no visible sheen or stains attributable to this discharge in the drainage area downstream from the permitted outfall.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

The unit for flow, GPD, is gallons per day.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:

Outfall 033 - at the point of discharge from the northeast corner of the containment area around the raw water intake transformer pad/sump prior to mixing with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Fire Systems Test Water, Air Conditioner Condensate, Groundwater and Stormwater from Pipeline Inspection Pits, Facility Wash Water, and Raw Water Systems Test Water which includes Once-Through Non-Contact Cooling Water and Diversion Water from the West Hackberry Facility.

There shall be no discharge of free oil or oily materials as evidenced by the lack of a visible sheen or residual oil deposits or stains in the drainage area downstream of the discharges.

The discharges shall not exceed 50 mg/L TOC or 15 mg/L oil and grease.

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Prior to adding any detergents, emulsifiers, dispersants or additives of any kind to the above mentioned discharge types, a written request must be received by this office and a determination made regarding its use.

No specific monitoring or reporting requirements are associated with the above mentioned discharges. It is the responsibility of the permittee, however, to take any appropriate actions necessary to ensure that the above standards are maintained.

PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

A. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations or additional restrictions, if necessary, to maintain the water quality integrity and the designated uses of the receiving water bodies.

B. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.

C. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

D. For definitions of monitoring and sampling terminology see Part III, Section F.

E. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Water Resources within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutant(s):

None

F. 40 CFR PART 136 (See LAC 33:IX.2531) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33:IX.2531).

G. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be estimated using best engineering judgement.

OTHER REQUIREMENTS (continued)

H. STORMWATER DISCHARGED OTHER THAN THROUGH PERMITTED OUTFALL(S)

Any runoff leaving developed areas of the facility, other than through the permitted outfall(s), exceeding 50 mg/l TOC, 15 mg/l Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit.

I. OIL AND GREASE ALTERNATIVE TEST PROCEDURE, METHOD 1664

Proposed method 1664 [Federal Register, Vol. 61, No. 15, January 23, 1996, page 1730] may be used as an oil and grease alternative test procedure for permit compliance monitoring purposes. This approval shall expire at the time of publication in the Federal Register of the final rule governing the use of Method 1664. This approval includes all of the analytical options within Method 1664, including solid phase extraction, provided that the equivalency demonstration is performed and all performance specifications are met. Please note that the equivalency demonstration is required for each outfall.

J. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

Effective date of the permit

K. STORMWATER POLLUTION PREVENTION PLAN (SWP3)

The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. The SWP3 is described in EPA document 832-R-92-006 (Storm Water Management for Industrial Activities). This document may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (WH-556), 401 M Street, S.W., Washington D.C. 20460 or by calling (202) 260-7786. The terms and conditions of the SWP3 shall be an enforceable part of the final permit. The following conditions shall be addressed in the SWP3 in addition to any other conditions developed by the permittee:

1. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of the final permit.

2. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be

OTHER REQUIREMENTS (continued)

kept in the closed condition except during periods of supervised discharge.

3. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.

4. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.

5. All storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.

6. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

7. The SWP3 may reflect requirements for SPC plans under LAC 33:IX, Chapter 9, and may incorporate any part of such plans into the SWP3 by reference.

L. PROPOSED DISCHARGE NOTIFICATION

Prior approval shall be obtained from this Office for any new proposed discharges at the site. Notification shall also be sent in the event that any material other than crude oil, gasoline, diesel, fuel oil, lubricating oils, or those listed in the permit application will be stored at the facility. Approval must be obtained from this Office prior to moving these additional materials onsite. Different monitoring and effluent limitations may be required at this time.

M. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this

OTHER REQUIREMENTS (continued)

Office, upon request, copies of all monitoring data required by this permit.

If there is a no discharge event at any of the monitored outfall(s) during the sampling period, enter "No Discharge" in the upper right corner of the Discharge Monitoring Report.

Monitoring results for each month shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR Form per month) and submitted to this Office on a quarterly basis or as per established practice. The schedule for quarterly DMR submission is as follows:

Monitoring Period	DMR Due Date
January, February, March	April 28th
April, May, June	July 28th
July, August, September	October 28th
October, November, December	January 28th

Duplicate copies of DMR's signed and certified as required by LAC 33:IX.2333.B, and all other reports required by this Office shall be submitted to the Permit Compliance Unit of the Office of Water Resources, and the appropriate DEQ regional office at the following addresses:

Department of Environmental Quality
Office of Water Resources
Post Office Box 82215
Baton Rouge, Louisiana 70884-2215

Southwest Regional Office
Water Quality Management Division
3519 Patrick Street, 2nd Floor
Lake Charles, Louisiana 70605

PART III
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction
In accordance with the provisions of LAC 33:IX.2355, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act, as amended, as well as ALL applicable regulations.

2. Duty to Comply
The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions
   a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

   b. Any person may be assessed a civil penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants
   a. Other effluent limitations and standards under sections 301, 302, 303, 307,318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply
If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The state administrative authority may grant permission to submit an application later than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

6. Permit Action
This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2383, 2385, 2387, 2407 and 2769. The causes may include, but are not limited to, the following:

   a. Noncompliance by the permittee with any condition of the permit;

   b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;

c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or

e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13.

The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

7. Property Rights
This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information
The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability
Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability
The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

13. Dilution
A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense
It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate
The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

a. *Bypass* - the intentional diversion of waste streams from any portion of a treatment facility.

b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III.B.4.c. and 4.d.

c. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall, within 24 hours, submit notice of an unanticipated bypass as required in Part III.D.6.

d. Prohibition of bypass

(1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(c) The permittee submitted notices as required by Part III.B.4.c.

(2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Part III.B.4.d(1).

5. Upset Conditions

a. Upset an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Part III.B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required by Part III.D.5.c.(2); and,

(4) The permittee complied with any remedial measures required by Part III.B.2.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances
Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state.

7. Percent Removal
For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.2645.A.3. and B.3, and LAC 33:IX.2647. B.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry
The permittee shall allow the state administrative authority, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of these regulations. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action.

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but

in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

(1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of these regulations.

(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Part III.C.e.1. above) and the inspector shall supply the permittee with a duplicate sample.

f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provision of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Part III. C.1.b. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g. Upon written request copies of field notes, drawings, etc., taken by office personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) will be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2383 .

3. Retention of Records
Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents
Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The time(s) analyses were begun;

e. The individual(s) who performed the analyses;
f. The analytical techniques or methods used;
g. The results of such analyses; and
h. The results of all Quality Control Procedures.

5. Monitoring Procedures

a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 (See LAC 33:IX.2531), unless other test procedures have been specified in this permit. This includes procedures contained in the latest EPA approved edition of the following publications:

(1) "Standard Methods for the Examination of Water and Waste Water". This publication is available from the American Public Health Association, Publication Sales, P. O. Box 753, Waldorf, MD 20604-0573, Phone number (301) 893-1894, Fax number (301) 843-0159.

(2) "Annual Book of Standards, Vols 1101-1103, Water I, Water II, and Atmospheric Analysis". This publication is available from the American Society for Testing Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, Phone number (610) 832-9500.

(3) "Methods for Chemical Analysis of Water and Wastes, Revised, March 1983," U.S. Environmental Protection Agency, Analytical Quality Control Laboratory, Cincinnati, Ohio. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-84-128677.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982" U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service, (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503. General laboratory procedures including glassware cleaning, etc. can be found in the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories, 1979," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory. This publication is available from the Environmental Protection Agency, Phone number (513) 569-7562. Order by EPA publication number EPA-600/4-79-019.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.

b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.

c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering; Penalties

a. No person shall falsify, tamper with, or knowingly render inaccurate, any monitoring device or method required to be maintained under this permit.

b. Any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method to be maintained under this permit shall, upon conviction, be subject to penalties in accordance with the state statutes LA. R. S. 30:2076.2.

8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.2531), or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2357.A.1.

c. For Municipal Permits. Any change in the facility discharge(including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges or pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the

Louisiana Environmental Quality Act. (See LAC 33:IX.2381; in some cases, modification or revocation and reissuance is mandatory.)

a. Transfers by modification. Except as provided in LAC 33: IX.2381.B, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2383.B.2), or a minor modification made (under LAC 33:IX.2385) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

b. Automatic transfers. As an alternative to transfers under LAC 33:IX.2381.A., any LPDES permit may be automatically transferred to a new permittee if:

(1) The current permittee notifies the administrative authority at least 30 days in advance of the proposed transfer date in Part III.D.3.b.(2) below;

(2) The notice includes a written agreement between the existing and new permittee(s) containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

(3) The state administrative authority does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subsection may also be a minor modification under LAC 33:IX.2385. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III.D.3.b.(2).

4. Monitoring Reports
Monitoring results shall be reported at the intervals and in the form specified in Part II.

5. Compliance Schedules
Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification
The permittee shall report any noncompliance which may endanger health or the environment. As required by LAC 33.I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline by telephone at (504) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health, safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. A written submission shall be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain the following information:

(1) A description of the noncompliance and its cause;

(2) The period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and;

(3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b. Prompt Notification

(1) As required by LAC 33:I.3917, in the event of an unauthorized discharge which does not cause an emergency condition, the discharger shall notify the Water Quality Management Division by telephone within 24 hours after learning of the discharge at (504) 765-0634. Notification should be made between the hours of 8 a.m. and 4:30 p.m. on working days.

(2) In the event the division is unable for any reason(s) to receive the notification required in this section, the discharger shall notify the department at (504) 342-1234 within 24 hours after learning of the discharge.

(3) Any of the unauthorized discharges listed below, which do not cause an emergency condition must be reported within 24 hours after learning of the discharge and must contain the information listed in 6.a. of this section. A written submission shall be provided within 5 days of the time the permittee becomes aware of the circumstances.

(a) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2355.M.3.b.);

(b) Any upset which exceeds any effluent limitation in the permit;

(c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2361.G.); and

(d) Any discharge containing a pollutant in a quantity which exceeds any reportable quantity specified in the "Notification Regulations and Procedures for Unauthorized Discharges", (LAC 33:I.Subchapter E), unless specifically authorized in this permit.

c. The state administrative authority may waive the written report required in 6.b.(3).(a), (b), and (c) above, on a case-by-case basis if the oral report has been received within 24 hours.

7. Other Noncompliance
The permittee shall report all instances of noncompliance not reported under Part III.D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Part III.D.6.a.

8. Other Information
Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances
In addition to the reporting requirements under Part III.D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the state administrative authority as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:

i. listed at Chapter 23, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 µg/L);
(2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micro-grams per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application

in accordance with LAC33:IX.2331.G.7; or
(4) The level established by the state administrative authority in accordance with LAC 33:IX.2361.F.; or

ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:

i. listed at Chapter 23, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) Five hundred micrograms per liter (500 µg/L);
(2) One milligram per liter (1 mg/L) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2331.G.7; or
(4) The level established by the state administrative authority in accordance with LAC 33:IX.2361.F.; or

ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

10. Signatory Requirements
All applications, reports, or information submitted to the Office of Water Resources shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

(b) The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Part III.D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Part III.D.10.a.(1)(b). rather than to specific individuals.

(2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or

(3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be

signed by a person described in Part III.D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in Part III.D.10.a.;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

(3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Part III.D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Part III.D.10. a. or b. section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports
All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.2763) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:
a. The name and address of any permit applicant or permittee;
b. Permit applications, permits, and effluent data.
c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2331 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements
The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than $10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

2. Civil Penalties
The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than $25,000 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharge is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. "Clean Water Act" means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.

2. "Administrator" means the Administrator of the U.S. Environmental Protection Agency.

3. "Applicable effluent standards and limitations" means all state and Federal effluent standards and limitations to which a discharge is subject under the Clean Water Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.

4. "Applicable water quality standards" means all water quality standards to which a discharge is subject under the Clean Water Act.

5. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

6. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.

7. "Daily Maximum" discharge limitation means the highest allowable "daily discharge" during the calendar month.

8. "Director" means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.

9. "Environmental Protection Agency" means the U.S. Environmental Protection Agency.

10. "Grab sample" means an individual sample collected in less than 15 minutes.

11. "Industrial user" means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.

12. "LEQA" means the Louisiana Environmental Quality Act.

13. "Louisiana Pollutant Discharge Elimination System (LPDES)" means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

14. "Monthly Average" (also known as Daily Average), other than for fecal coliform bacteria, discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

15. "National Pollutant Discharge Elimination System" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

16. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

17. "Sewage sludge" means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.

18. "Treatment works" means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof.

19. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

20. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

21. The term "MGD" shall mean million gallons per day.

22. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).

23. The term "ug/L" shall mean micrograms per liter or parts per billion (ppb).

24. "Weekly average", other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The weekly average for fecal coliform bacteria is the geometric mean of the daily discharges over a calendar week.

25. "12-hour composite sample" consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.

26. "6-hour composite sample" consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.

27. "3-hour composite sample" consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.

28. Sanitary Wastewater Term(s):

    a. "24-hour composite sample" consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.

LOUISIANA
WATER POLLUTION CONTROL
FEE REGULATIONS

FEBRUARY 1998

Title 33
ENVIRONMENTAL QUALITY
Part IX. Water Quality Regulations
Chapter 13. Louisiana Water Pollution Control Fee System Regulation

§1301. Scope and Purpose

It is the purpose of these regulations to establish a fee system for funding the operation and activities of the Office of Water Resources of the Department of Environmental Quality in accordance with the Louisiana Environmental Quality Act, (R.S. 30:2001 et seq.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 18:731 (July 1992).

§1303. Authority

These regulations provide fees as required by R.S. 30:2014(B) and 2089.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 24:326 (February 1998).

§1305. Short Title

These regulations shall be known and may be cited by the short title "Water Program Fee Regulations".

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources in LR 11:534 (May 1985).

§1307. Definitions

All terms used in these regulations, unless the context otherwise requires or unless specifically defined in the Louisiana Environmental Quality Act, or in substantive regulations promulgated by the secretary of the Department of Environmental Quality, shall have their usual meaning. In addition, for purposes of these regulations, the following definitions apply:

Administrative Authority—the secretary of the Department of Environmental Quality, the assistant secretary of the Office of Water Resources and/or their designated representatives.

Annual Fee—the fee which is paid annually based on the state's fiscal year (July 1 to June 30). This fee shall be applicable to all facilities subject to regulation under the Louisiana Water Control Law, R.S. 30:2071 et seq.

Department—the Department of Environmental Quality.

Division—the Water Pollution Control Division within the Office of Water Resources.

Due Date— the date indicated on the invoice.

Facility—for the purposes of the Louisiana Water Pollution Control Fee System, a pollution source, or any public or private property or site and all contiguous land and structures, other appurtenances and improvements, where an activity is conducted that discharges or may result in the discharge of pollutants into waters of the state.

Inactive Facility-any facility which has been permanently closed and inoperative except for minor and essential maintenance activities for a period of at least one year but retains a valid permit to facilitate a potential resumption of operations. Facilities that are temporarily closed for maintenance or turnaround activities or inventory reduction are not considered to be inactive.

Major Facility—for the purposes of the Louisiana Water Pollution Control Fee System, any facility classified as such by the administrative authority.

Minor Facility—any facility not classified as a major facility by the administrative authority.

Municipal Facility-any facility operated by the state or a city, town, village, district or parish governing authority for the purpose of providing necessary public services.

New, Modified, or Reissued Permit Fee—the fee applicable to any such permit action.

Office—the Office of Water Resources within the Department of Environmental Quality.

Permit or License—for the purposes of the Louisiana Water Pollution Control Fee System, written authorization issued by the administrative authority to discharge, emit, or dispose of liquid, gaseous, semi-solid or solid waste or reusable materials, or radioactive material from or at a site or facility, including all conditions set forth therein.

Secretary—the secretary of the Department of Environmental Quality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 18:731 (July 1992), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), amended by the Office of Water Resources, LR 24:326 (February 1998).

§1309. Fee System

A. Applicability. Fees established by these regulations shall be applicable to all facilities subject to regulation under the Louisiana Water Control Law, R.S. 30:2071 et seq., including those with no discharge and/or closed system permits.

B. Annual Fee

1. The annual fee shall be calculated by multiplying the rating points times the rate factor except that the annual fee for each general permit shall be established by the administrative authority as provided below.

2. The rating points shall be computed using the appropriate Annual Fee Rating Worksheet.

3. The rate factor shall be applied per rating point as follows:

a. for municipal facilities:

i. $97.50 per rating point through June 30, 1998;

ii. $104.81 per rating point from July 1, 1998, through June 30, 1999; and

iii. $112.12 per rating point as of July 1, 1999; and

b. for all other facilities:

i. $179.16 per rating point through June 30, 1998;

ii. $192.60 per rating point from July 1, 1998, through June 30, 1999; and

iii. $206.03 per rating point as of July 1, 1999.

4. The annual fee shall be paid each year a facility is subject to regulation under the Louisiana Water Control Law, R.S. 30:2071 et seq. The year shall correspond with the state's fiscal year, July 1 through June 30.

5. For new facilities, the annual fee may be prorated to correspond to the start-up date.

6. The annual fee for inactive facilities may be reduced by 50 percent during any fiscal year in which the facility was inactive for the entire fiscal year. In no case shall the fee be reduced below the minimum fee.

C. New Permit Fee

1. A new permit fee shall be paid for issuance of any new or temporary permit.

2. The new permit fee shall be assessed subsequent to the receipt and review of an application or other request for permit action.

3. This fee shall be 20 percent of the calculated annual fee but not less than the minimum annual fee, as defined in Subsection E.1 of this Section.

D. Modified or Reissued Permit Fee

1. A modified or reissued permit fee shall be paid for any permit action which requires modification or reissuance of an existing permit.

2. The modified or reissued permit fee shall be assessed subsequent to the receipt and review of an application or other request for permit action.

3. This fee shall be 20 percent of the calculated annual fee but not less than the minimum annual fee, as defined in Subsection E.1 of this Section, for permit actions requiring implementation of the public notice procedure.

4. For all other permit actions, this fee shall be 10 percent of the calculated annual fee but not less than the minimum annual fee, as defined in Subsection E.1 of this Section.

E. Minimum and Maximum Annual Fee

1. The minimum annual fee shall be:

a. $227.50 through June 30, 1998;

b. $244.56 from July 1, 1998, through June 30, 1999; and

c. $261.63 as of July 1, 1999.

2. The maximum annual fee shall be:

a. $94,500 through June 30, 1998;

b. $101,587.50 from July 1, 1998, through June 30, 1999; and

c. $108,675.00 as of July 1, 1999.

F. General Permit Fee. At the discretion of the administrative authority, an annual fee may be assessed for facilities regulated by a general permit. In deciding to establish an annual fee for facilities covered by a general permit, the administrative authority should consider the resources involved in administering the general permit, the economic impact on the regulated community, and the economic impact on the fee program. If the decision is made to assess an annual fee for an activity covered by a general permit, then each facility involved in that activity and covered by the general permit shall be assessed the fee.

G. Due Date. Fees shall be received by the department by the due date indicated on the invoice.

H. Late Payment Penalty. Fees not received within 15 days of the due date will be charged an additional 10 percent per month of the original assessed fee. The late fee shall be calculated starting from the due date indicated on the invoice.

I. Failure to Pay. Failure to pay the prescribed fees as provided herein will constitute a violation of these regulations and shall subject the person to applicable enforcement actions under the Louisiana Environmental Quality Act including, but not limited to, revocation or suspension of the applicable permit, license, registration or variance.

J. Refunds

1. There shall be no refunds of new, modified or reissued permit fees.

2. The annual fee may be prorated and/or refunded should a facility relinquish its discharge permit.

K. Annual Fee Rating Worksheet. The annual fee shall be computed using the appropriate Annual Fee Rating Worksheet as provided in LAC 33:IX.1313 or 1317. Instructions for completing the appropriate Annual Fee Rating Worksheet are provided in LAC 33:IX.1311 and 1315.

L. Facility Complexity Designation

1. The Facility Complexity Designation shall be based on the SIC code as established in the tables in LAC 33:IX.1315.

2. If a facility is not specifically covered by an SIC code, the administrative authority may assign an SIC code and/or Facility Complexity Designation on a case-by-case basis.

3. When it is demonstrated that factors associated with processes and waste generation are fundamentally different from those considered in assignment of a Complexity Designation, the administrative authority, on a case-by-case basis, may assign a minor facility a different Complexity Designation than that indicated in LAC 33:IX.1315. Such assignment shall consider:

a. type and quantity of wastewaters discharged, the ultimate avenue of disposal, and the potential to discharge; and

b. complexity of the permitting procedure and the inspection requirements for this type of facility.

M. Method of Payment. All fee payments shall be made by check, draft or money order payable to the Department of Environmental Quality and mailed to the department at the address provided on the invoice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:626 (September 1988), LR 18:731 (July 1992), LR 21:798 August 1995), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), amended by the Office of Water Resources, LR 24:326 (February 1998).

§1311. Instructions For Completing Municipal Facility Annual Fee Rating Worksheet

A. Facility Complexity Designation

1. Determine the specific industrial category applicable to the facility.

2. From the permit application, determine SIC codes. Also determine processes and products reported. Compare this information to LAC 33:IX.1319 to determine the applicable industrial category and the related complexity designation. When more than one category applies, select the one with the highest complexity designation. Record the SIC code applicable to the category selected in the first SIC code blank and all other reported SIC codes in the second blank. Record the SIC title.

3. Check the applicable complexity designation and record the associated points in the complexity points blank. Note: Any industrial category not listed in LAC 33:IX.1319 is automatically assigned a Complexity Designation I except under the circumstances noted in LAC 33:IX.1309.L.2.

4. The SIC codes listed in the tables are not exhaustive and any questions concerning the appropriate SIC code or complexity designation for a particular facility will be decided by the administrative authority.

B. Flow Volume and Type

1. Determine the wastewater type and average discharge volume.

2. Review the permit application to determine the composition of the wastewater discharge(s). If there are multiple discharges, the composite of all discharges should be used. Compare the relative magnitudes of process wastewater, noncontact cooling water and other wastewaters with the definitions of wastewater types in Table 1 below, and select the appropriate wastewater type (select only one type).

Table 1 Types of Wastewater	
Wastewaters are divided into three types based on their relative pollution potential.	
Type I	Type I wastewaters are relatively uncontaminated. They include noncontact cooling water only, or mixed flows which contain at least 90 percent noncontact cooling water and not more than one mgd of process wastewaters.
Type II	Type II wastewaters are the most contaminated. They include process wastewater flows or any mixed wastewaters containing more than 10 percent process wastewaters or containing more than one mgd of process wastewaters.
Type III	Type III wastewaters include sanitary wastewater, boiler blowdown, recirculating cooling system blowdown, water treatment wastewaters and relatively uncontaminated surface run-off (contaminated surface runoff should be considered process wastewater). Any mixture of these wastewaters is considered Type III. A mixture which includes noncontact cooling water is also Type III unless the noncontact cooling water exceeds 90 percent of the flow (Type I).

3. Determine the total daily average wastewater discharge to the receiving water based upon the information supplied to this office in the permit application. If there are multiple discharges, the total of all daily average discharges should be used. Under the selected wastewater type, where applicable, answer yes or no and complete the formula.

C. Traditional Pollutants

1. Review the permit to determine if BOD, COD, TSS and/or ammonia are limited. Points should only be assigned for these four parameters if they are limited in the permit. The permit limits used to determine pollutant loads should be those limits currently in effect. Add the daily average load limit for each parameter for all discharges.

2. Check the applicable load range for BOD and/or COD and record the highest associated points in the BOD or COD points blank. In some cases, oxygen demand may be limited by some parameter other than BOD or COD [i.e., ultimate oxygen demand (UOD), total organic carbon (TOC), or total oxygen demand (TOD)]. If this is the case, check the applicable load range in the BOD criterion and record the alternate parameter used in the blank indicated.

3. Check the applicable TSS and ammonia load ranges and record the associated points. An alternate nitrogen load parameter may be used in some cases when ammonia is not limited. If another nitrogen parameter is limited in the permit, check the appropriate load range in the ammonia criterion and record the alternate parameter used in the blank indicated.

4. Sum the totals A, B, and C and record the total pollution points in the space provided.

D. Temperature (Heat Load)

1. A heat load should be computed for large thermal discharges. Such discharges are usually indicated by temperature limits in the permit. Computation for a flow less than 10 mgd is unnecessary as it will receive no heat load points.

2. Use maximum temperature limit in the permit (maximum temperature reported in application if not limited in the permit) and subtract 70° to compute $^{\Delta}T$ in °F, then determine the daily average heat load during the most critical conditions. This is usually during the summer months when stream temperature and cooling water flow rates are the highest.

3. If larger heat loads are discharged at other time periods because of seasonal operations, the daily average heat load for those periods should be used. The summer flow rate may not be indicated in the permit application. It can be determined from Discharge Monitoring Reports.

4. Compute the heat load using the computed $^{\Delta}T$ and the selected flow rate. Check the applicable heat load range and record the associated points in the heat load points blank.

E. Potential Public Health Points

1. Determine if the receiving water is used for a municipal water supply.

2. Review the complexity designation assigned in LAC 33:IX.1311.A. If groups I or II were assigned, check the first complexity designation blank, record 0 points in the public health points blank and go to the next instruction.

3. If a higher complexity designation (III, IV, V, or VI) was assigned, then a determination if the receiving water is used as a drinking water supply source must be made. To qualify for points under this criterion, either the receiving water to which wastewater is discharged or a water body to which the receiving water is tributary must be used as a drinking water supply source within 50 miles downstream.

4. Check the appropriate complexity designation blank and record associated points in the public health points blank.

F. Major/Minor Facility Designation

1. Determine if the facility has been designated a major facility by the administrative authority. If the answer is YES, then check the appropriate blank and assign 25 points. If the answer is NO, then proceed to the next part.

2. Determine if the permitted effluent limitations assigned were based on water quality factors in the receiving water. Check the appropriate answer and assign the points required.

G. Total Rating Points. Sum the rating points assigned to each of the six sections and record the total in the total rating points blank.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:627 (September 1988), LR 18:732 (July 1992), LR 24:327 (February 1998).

§1313. Municipal Facility Annual Fee Rating Worksheet

Invoice No._____

ANNUAL FEE RATING WORKSHEET
PERMIT NO._____

1. FACILITY COMPLEXITY DESIGNATION
   Primary SIC _____ Other SIC _____
   Complexity Designation =

_____	I	(0 points)
_____	II	(10 points)
_____	III	(20 points)
_____	IV	(30 points)
_____	V	(40 points)
_____	VI	(50 points)

COMPLEXITY DESIGNATION POINTS _____

2. FLOW VOLUME AND TYPE
   A. Wastewater Type I
      Is total Daily Average Discharge greater than 60 mgd?
      _____Yes, then points = 30
      _____No, then
      Points = 0.5 X Total Daily Average Discharge (mgd)
      Points = 0.5 X _____ = _____
      Total Points = _____

   B. Wastewater Type II
      Is total Daily Average Discharge greater than 5 mgd?
      _____Yes, then points = 50
      _____No, then
      Points = 10 X Total Daily Average Discharge (mgd)
      Points = 10 X _____ = _____
      Total Points = _____

   C. Wastewater Type III
      Is total Daily Average Discharge greater than 25 mgd?
      _____Yes, then points = 50
      _____No, then
      Points = 2 X Total Daily Average Discharge (mgd)
      Points = 2 X _____ = _____
      Total Points = _____

   FLOW VOLUME AND TYPE POINTS _____

3. TRADITIONAL POLLUTANTS
   A. BOD or
      Daily Average Load =

_____	≤ 50 lb/day	(0 points)
_____	> 50 - 500	(5 points)
_____	> 500 - 1000	(10 points)
_____	> 1000 - 3000	(20 points)
_____	> 3000 - 5000	(30 points)
_____	> 5000 lb/day	(40 points)

      COD or
      Daily Average Load =

_____	≤ 100 lb/day	(0 points)
_____	> 100 - 500	(5 points)
_____	> 500 - 1000	(10 points)
_____	> 1000 - 5000	(20 points)
_____	> 5000 - 10000	(30 points)
_____	> 10,000 lb/day	(40 points)

      BOD OR COD DEMAND POINTS _____
      (whichever is greater)

B. TSS

Daily Average Load =

_____	≤ 100 lb/day	(0 points)
_____	> 100 - 500	(5 points)
_____	> 500 - 1000	(10 points)
_____	> 1000 - 5000	(20 points)
_____	> 5000 - 10000	(30 points)
_____	> 10,000 lb/day	(40 points)

TSS POINTS _____

C. AMMONIA or (Alternative nitrogen parameter used)

Daily Average Load =

_____	≤ 200 lb/day	(0 points)
_____	> 200 - 500	(5 points)
_____	> 500 - 1000	(10 points)
_____	> 1000 - 5000	(20 points)
_____	> 5000 - 10000	(30 points)
_____	> 10,000 lb/day	(40 points)

AMMONIA POINTS _____

TOTAL POLLUTANT POINTS _____

4. TEMPERATURE (HEAT LOAD)

Heat Load = Average Summer flow (mgd) X $^{\Delta}T$ X 0.00834

where $^{\Delta}T$ = Permit Limit (Max. Temp.) -70°

Heat Load = _____(mgd) X _____ X 0.00834 = _____Billion BTU

Heat Load =

_____	≤ 4 billion BTU	(0 points)
_____	> 4 - 20 billion BTU	(5 points)
_____	> 20-100 billion BTU	(10 points)
_____	> 100-200 billion BTU	(15 points)
_____	> 200 billion BTU	(20 points)

HEAT LOAD POINTS_____

5. POTENTIAL PUBLIC HEALTH IMPACTS

Is the receiving water to which the wastewater is discharged or a water body to which it is a tributary used as a drinking water supply source within 50 miles downstream?

_____No (0 points)

_____Yes, then . . . Complexity Designation

_____	I, II	(0 points)
_____	III	(5 points)
_____	IV	(10 points)
_____	V	(20 points)
_____	VI	(30 points)

POTENTIAL PUBLIC HEALTH IMPACT POINTS_____

6. MAJOR/MINOR FACILITY DESIGNATION

Has your facility been designated a major facility by the administrative authority?

_____Yes, then Points = 25

_____No, then

Were effluent limitations assigned to the discharge based on water quality factors in the receiving stream?

_____No, then Points = 0

_____Yes, then Points = 5

TOTAL MAJOR/MINOR POINTS _____

TOTAL RATING POINTS ASSIGNED _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:628 (September 1988), LR 18:732 (July 1992).

§1315. Instructions For Completing Industrial Facility Annual Fee Rating Worksheet

A. Facility Complexity Designation

1. Determine the specific industrial category applicable to the facility.

2. From the permit application, determine SIC codes. Also determine processes and products reported. Compare this information to LAC 33:IX.1319 to determine the applicable industrial category and the related complexity designation. When more than one category applies, select the one with the highest complexity designation. Record the SIC code applicable to the category selected in the first SIC code blank and all other reported SIC codes in the second blank. Record the SIC title.

3. Check the applicable complexity designation and record the associated points in the complexity points blank. Note: Any industrial category not listed in LAC 33:IX.1319 is automatically assigned a Complexity Designation I except under the circumstances noted in LAC 33:IX.1309.L.2.

4. The SIC codes listed in the tables are not exhaustive and any questions concerning the appropriate SIC code or complexity designation for a particular facility will be decided by the administrative authority.

B. Flow Volume and Type

1. Determine the wastewater type and average discharge volume.

2. Review the permit application to determine the composition of the wastewater discharge(s). If there are multiple discharges, the composite of all discharges should be used. Compare the relative magnitudes of process wastewater, noncontact cooling water and other wastewaters with the definitions of wastewater types in Table 2 below, and select the appropriate wastewater type (select only one type).

Table 2 Types of Wastewater	
Wastewaters are divided into three types based on their relative pollution potential.	
Type I	Type I wastewaters are relatively uncontaminated. They include noncontact cooling water only, or mixed flows which contain at least 90 percent noncontact cooling water and not more than one mgd of process wastewaters.
Type II	Type II wastewaters are the most contaminated. They include process wastewater flows or any mixed wastewaters containing more than 10 percent process wastewaters or containing more than one mgd of process wastewaters.
Type III	Type III wastewaters include sanitary wastewater, boiler blowdown, recirculating cooling system blowdown, water treatment wastewaters and relatively uncontaminated surface runoff (contaminated surface runoff should be considered process wastewater). Any mixture of these wastewaters is considered Type III. A mixture which includes noncontact cooling water is also Type III unless the noncontact cooling water exceeds 90 percent of the flow (Type I).

3. Determine the total daily average wastewater discharge to the receiving water based upon the information supplied to this office in the permit application. If there are multiple discharges, the total of all daily average discharges should be used. Under the selected wastewater type, where applicable, answer yes or no and complete the formula.

C. Pollutants

1. Review the permit to determine if BOD, COD, and TSS are limited. Points should only be assigned for these parameters if they are limited in the permit. The permit limits used to determine pollutant loads should be those limits currently in effect. Add the daily average load limit for each parameter for all discharges.

2. Check the applicable load range for BOD and/or COD, complete the formula, if applicable, and record the highest associated points in the BOD or COD points blank. In some cases, oxygen demand may be limited by some parameter other than BOD or COD [i.e., ultimate oxygen demand (UOD), total organic carbon (TOC), or total oxygen demand (TOD)]. If this is the case, substitute the alternate parameter for the COD criterion and record the alternate parameter used in the blank indicated.

3. Check the applicable TSS load range, complete the formula, if applicable, and record the associated points.

4. Obtain the latest reported toxic discharge to surface water information for the facility, complete the formula and record the associated points. This information may be updated and the rating revised if the annual report shows a change of at least 10 percent in the amount discharged.

5. Sum the totals A, B, and C and record the total pollutant points in the space provided.

D. Temperature (Heat Load)

1. A heat load should be computed for large thermal discharges. Such discharges are usually indicated by temperature limits in the permit. Computation for a flow less than 10 mgd is unnecessary as it will receive no heat load points.

2. Use maximum temperature limit in the permit (maximum temperature reported in application if not limited in the permit) and subtract 70° to compute $^{\Delta}T$ in °F, then determine the daily average heat load during the most critical conditions. This is usually during the summer months when stream temperature and cooling water flow rates are the highest.

3. If larger heat loads are discharged at other time periods because of seasonal operations, the daily average heat load for those periods should be used. The summer flow rate may not be indicated in the permit application. It can be determined from Discharge Monitoring Reports.

4. Compute the heat load using the computed $^{\Delta}T$ and the selected flow rate. Check the applicable heat load range and record the associated points in the heat load points blank.

E. Potential Public Health Points

1. Determine if the receiving water is used for a municipal water supply.

2. Review the complexity designation assigned in LAC 33:IX.1311.A. If groups I or II were assigned, check the first complexity designation blank, record 0 points in the public health points blank and go to the next instruction.

3. If a higher complexity designation (III, IV, V, or VI) was assigned, then a determination if the receiving water is used as a drinking water supply source must be made. To qualify for points under this criterion, either the receiving water to which wastewater is discharged or a water body to which the receiving water is tributary must be used as a drinking water supply source within 50 miles downstream.

4. Check the appropriate complexity designation blank and record associated points in the public health points blank.

F. Major/Minor Facility Designation

1. Determine if the facility has been designated a major facility by the administrative authority. If the answer is YES, then check the appropriate blank and assign 25 points. If the answer is NO, then proceed to the next part.

2. Determine if the permitted effluent limitations assigned were based on water quality factors in the receiving water. Check the appropriate answer and assign the points required.

G. Total Rating Points. Sum the rating points assigned to each of the six sections and record the total in the total rating points blank.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 18:733 (July 1992), amended LR 24:327 (February 1998).

§1317. Industrial Facility Annual Fee Rating Worksheet

Invoice No._____

ANNUAL FEE RATING WORKSHEET
PERMIT NO._____

1. FACILITY COMPLEXITY DESIGNATION
   Primary SIC _____ Other SIC _____
   Complexity Designation =

_____	I	(0 points)
_____	II	(10 points)
_____	III	(20 points)
_____	IV	(30 points)
_____	V	(40 points)
_____	VI	(50 points)

COMPLEXITY DESIGNATION POINTS _____

2. FLOW VOLUME AND TYPE
   A. Wastewater Type I
   Is total Daily Average Discharge greater than 400 mgd?
   _____Yes, then points = 200
   _____No, then
   Points = 0.5 X Total Daily Average Discharge (mgd)
   Points = 0.5 X _____ = _____
   Total Points = _____

   B. Wastewater Type II
   Points = 10 X Total Daily Average Discharge (mgd)
   Points = 10 X _____ = _____
   Total Points = _____

   C. Wastewater Type III
   Points = 2 X Total Daily Average Discharge (mgd)
   Points = 2 X _____ = _____
   Total Points = _____

   FLOW VOLUME AND TYPE POINTS _____

3. POLLUTANTS
   A. BOD or
   Daily Average Load =

_____	≤ 50 lb/day	(0 points)
_____	> 50 - 500	(5 points)
_____	> 500 - 1,000	(10 points)
_____	> 1,000 - 3,000	(20 points)
_____	> 3,000 - 5,000	(30 points)
_____	> 5,000 lb/day	(calculate)

   Points = 0.008 X Daily Average Load (lbs)
   Points = 0.008 X _____ = _____

   COD or
   Daily Average Load =

_____	≤ 100 lb/day	(0 points)
_____	> 100 - 500	(5 points)
_____	> 500 - 1,000	(10 points)
_____	> 1,000 - 5000	(20 points)
_____	> 5,000 - 10,000	(30 points)
_____	> 10,000 lb/day	(calculate)

   Points = 0.004 X Daily Average Load (lbs.)
   Points = 0.004 X _____ = _____
   BOD OR COD DEMAND POINTS _____
   (whichever is greater)

B. TSS

Daily Average Load =

_____	≤ 100 lb/day	(0 points)
_____	> 100 - 500	(5 points)
_____	> 500 - 1,000	(10 points)
_____	> 1,000 - 5,000	(20 points)
_____	> 5,000 - 10,000	(30 points)
_____	> 10,000 lb/day	(calculate)

Points = 0.004 X Daily Average Load (lbs)

Points = 0.004 X _____ = _____

TSS POINTS _____

C. TOXICS

Total Annual Discharge to Water = _____(lbs)

Points = 0.01 X Annual Discharge (lbs)

Points = 0.01 X _____ = _____

TOXIC POINTS _____

TOTAL POLLUTANT POINTS _____

4. TEMPERATURE (HEAT LOAD)

Heat Load = Average Summer flow (mgd) X $^{\Delta}T$ X 0.00834

where $^{\Delta}T$ = Permit Limit (Max. Temp.) -70°

Heat Load = _____(mgd) X _____ X 0.00834 = _____Billion BTU

Heat Load =

_____	≤ 4 billion BTU	(0 points)
_____	> 4 - 20 billion BTU	(5 points)
_____	> 20-100 billion BTU	(10 points)
_____	> 100-200 billion BTU	(15 points)
_____	> 200 billion BTU	(20 points)

HEAT LOAD POINTS_____

5. POTENTIAL PUBLIC HEALTH IMPACTS

Is the receiving water to which the wastewater is discharged or a water body to which it is a tributary used as a drinking water supply source within 50 miles downstream?

_____No (0 points)

_____Yes, then . . .

Complexity Designation

_____I, II	(0 points)
_____III	(5 points)
_____IV	(10 points)
_____V	(20 points)
_____VI	(30 points)

POTENTIAL PUBLIC HEALTH IMPACT POINTS_____

6. MAJOR/MINOR FACILITY DESIGNATION

Has your facility been designated a major facility by the administrative authority?

_____Yes, then Points = 25

_____No, then

Were effluent limitations assigned to the discharge based on water quality factors in the receiving stream?

_____No, then Points = 0

_____Yes, then Points = 5

TOTAL MAJOR/MINOR POINTS _____

TOTAL RATING POINTS ASSIGNED _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 18:734 (July 1992).

§1319. SIC Code Complexity Tables